

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PF16Y25	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/018823	International filing date (day/month/year) 16.12.2004	Priority date (day/month/year) 18.12.2003
International Patent Classification (IPC) or national classification and IPC C22C49/14, B22F3/14, C22C47/14, H01L23/373		
Applicant SHIMANE PREFECTURAL GOVERNMENT		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2.	This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.	
3.	This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>7</u> sheets, as follows: <div><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</div> b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4.	This report contains indications relating to the following items: <div><input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input checked="" type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application</div>	

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/018823

Box No. I	Basis of the report
1.	<p>With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This report is based on translations from the original language into the following _____, which is the language of a translation furnished for the purposes of:</p> <p><input type="checkbox"/> international search (Rule 12.3 and 23.1(b))</p> <p><input type="checkbox"/> publication of the international application (Rule 12.4)</p> <p><input type="checkbox"/> international preliminary examination (Rule 55.2 and/or 55.3)</p> <p>2. With regard to the elements of the international application, this report is based on (<i>replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report</i>):</p> <p><input type="checkbox"/> the international application as originally filed/furnished</p> <p><input checked="" type="checkbox"/> the description:</p> <p>pages <u>1, 4-12</u> as originally filed/furnished</p> <p>pages* <u>2, 3, 13, 14</u> received by this Authority on <u>13.09.2005</u></p> <p>pages* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the claims:</p> <p>nos. <u>2-6, 11-13, 17, 18</u> as originally filed/furnished</p> <p>nos.* _____ as amended (together with any statement) under Article 19</p> <p>nos.* <u>1, 19-24</u> received by this Authority on <u>13.09.2005</u></p> <p>nos.* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the drawings:</p> <p>sheets <u>Fig. 1-3</u> as originally filed/furnished</p> <p>sheets* _____ received by this Authority on _____</p> <p>sheets* _____ received by this Authority on _____</p> <p><input type="checkbox"/> a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.</p> <p>3. <input checked="" type="checkbox"/> The amendments have resulted in the cancellation of:</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input checked="" type="checkbox"/> the claims, nos. <u>7-10, 14-16</u></p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p> <p>4. <input type="checkbox"/> This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p>

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/018823

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application

☒ claims Nos. 1-6, 19-24

because:

☐ the said international application, or the said claims Nos. _____
relate to the following subject matter which does not require an international preliminary examination (*specify*):

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. _____
are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. _____ are so inadequately supported
by the description that no meaningful opinion could be formed.

☒ no international search report has been established for said claims Nos. 1-6, 19-24

☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

☐ has not been furnished

☐ does not comply with the standard

the computer readable form

☐ has not been furnished

☐ does not comply with the standard

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-*bis* of the Administrative Instructions.

☐ See Supplemental Box for further details.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/018823

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																					
1. Statement	<table><tbody><tr><td rowspan="2">Novelty (N)</td><td>Claims</td><td><u>11-13, 17, 18</u></td><td>YES</td></tr><tr><td>Claims</td><td><u></u></td><td>NO</td></tr><tr><td rowspan="2">Inventive step (IS)</td><td>Claims</td><td><u></u></td><td>YES</td></tr><tr><td>Claims</td><td><u>11-13, 17, 18</u></td><td>NO</td></tr><tr><td rowspan="2">Industrial applicability (IA)</td><td>Claims</td><td><u>11-13, 17, 18</u></td><td>YES</td></tr><tr><td>Claims</td><td><u></u></td><td>NO</td></tr></tbody></table>	Novelty (N)	Claims	<u>11-13, 17, 18</u>	YES	Claims	<u></u>	NO	Inventive step (IS)	Claims	<u></u>	YES	Claims	<u>11-13, 17, 18</u>	NO	Industrial applicability (IA)	Claims	<u>11-13, 17, 18</u>	YES	Claims	<u></u>	NO
Novelty (N)	Claims		<u>11-13, 17, 18</u>	YES																		
	Claims	<u></u>	NO																			
Inventive step (IS)	Claims	<u></u>	YES																			
	Claims	<u>11-13, 17, 18</u>	NO																			
Industrial applicability (IA)	Claims	<u>11-13, 17, 18</u>	YES																			
	Claims	<u></u>	NO																			
2. Citations and explanations (Rule 70.7)	<p>Document 1: JP 11-140559 A (Furukawa Electric Co., Ltd.), 25 May 1999</p> <p>Document 6: JP 50-140307 A (Honda Motor Co., Ltd.), 11 November 1975</p> <p>Document 7: JP 51-47508 A (Honda Motor Co., Ltd.), 23 April 1976</p> <p>Document 8: JP 44-17007 B (Japax Inc.), 28 July 1969</p> <p>The inventions set forth in claims 11 to 13, 17 and 18 do not involve an inventive step in the light of document 1 (claims; embodiments), document 6 (claims; page 2, upper right column, lines 7 to 15; embodiments), document 7 (claims; page 2, upper left column, line 13 to upper right column, line 1; page 3, lower right column, lines 3 to 8), and document 8 (claims; paragraph 2, line 11 to paragraph 3, line 7; embodiments; paragraph 7, lines 1 to 6) cited in the international search report.</p> <p>Documents 6 to 8 indicate that metal powder and carbon fibers are mixed together, and a pulse current is passed through while the mixture is pressurized, to sinter the mixture, as a method of producing a metal-based carbon fiber composite material, and it would be not be difficult for a person skilled in the art to apply</p>																					

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International application No.
PCT/JP2004/018823

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<p>the production method set forth in documents 6 to 8 when producing the composite material set forth in document 1.</p>	